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of bringing to punishment the criminal. *Chapman v. Battle*, 124 Ga., 574; *Eames v. Whittaker*, 123 Mass., 342; *Cristman v. Cristman*, 36 Ill. App., 567. The majority of the court on the principal case held that the letter was still within the privilege of the defendant, in that the re-affirmation of her belief in the plaintiff's guilt was "for the guidance of the officer in case it was or might become his duty to pursue the investigation with a view to criminal proceedings." The dissenting opinion held that the letter, since it was written to stop any action by the officer in her behalf, did not come within the class of privileged communications.

PARENT AND CHILD—LIABILITY OF STEPFATHER—SUPPORT OF CHILD.—*WHITE v. McDOWELL*, 132 PAC. REP. (WASH.), 734.—*Held*, that there is a duty upon a stepfather to support minor children of his wife by a former husband, which duty is something more than mere charity, and where the stepfather willingly fulfills that duty, recovery cannot be had by the wife against her divorced former husband for support of a child who was awarded to her custody.

A husband was not by the common law obliged to support the children of his wife by a former marriage. *Worcester v. Marchant*, 31 Mass., 510. And generally he is not required to support them unless he has voluntarily assumed the parental relation to them under circumstances that raise a presumption that he has undertaken to support them gratuitously. *Kempson v. Goss*, 69 Ark., 451. Nor is he required to support them where neither wife nor child resides with him. *Freeman v. Freeman*, 11 Ky. L. R., 822. The doctrine of the principal case is correct, however, to the extent that if a stepfather voluntarily assumes the care and support of a stepchild he stands *in loco parentis*, and under those circumstances the ordinary rules governing the parental relation will be held to apply. *Burba v. Richardson*, 14 Ky. L. R., 233; *Kirchgassner v. Rodick*, 170 Mass., 543; *In re Besondy*, 32 Minn., 387; *Sharp v. Cropsey*, 11 Barb. (N. Y.), 224; *Grossman v. Lauber*, 29 Ind., 618. The stepfather cannot then ask compensation for maintenance of his stepchildren; *Swetman v. Swetman*, 8 Ky. L. R., 266; and the stepchildren cannot ask compensation for services rendered in the absence of contract. *Kirchgassner v. Rodick*, *supra*; *Dixon v. Hosick*, 101 Ky., 231; the stepfather has a right to the services of the stepchildren and is liable to them for their support. *Mulhern v. Macdavit*, 82 Mass., 405; *Livingston v. Hammond*, 162 Mass., 375; *Gillett v. Camp*, 27 Mo., 541; and in case of injury to the children, a right of action to recover for loss of services is given him to the exclusion of the mother. *Eickhoff v. Sedalia, etc.*, Ry., 106 Mo. App., 541. A distinction arises, however, where the stepfather is also guardian of his stepchildren and has funds of the latter under his control. He may then be allowed to apply a part of such funds to the support of his wards. *Latham v. Myers*, 57 Ia., 519; *In re Ward's Estate*, 73 Mich., 220; *Mull vs. Walker*, 100 N. C., 46; even though the stepchildren be members of his own family. *Pratt v. Baker*, 56 Vt., 70; *contra*, *In matter of Dissenger*, 39 N. J. Eq., 227. It has been held, too, that the marriage of a woman,

who has been appointed and qualified as guardian of her infant children by her former husband, has the effect of joining her husband with her in the guardianship and that he then has the undeniable right to charge his wards a reasonable sum for their board. *Martin v. Foster's Executor*, 38 Ala., 688. The relation of parent and child may be severed, however, and a charge made for support furnished thereafter. A severance is effected by the death of the mother or by the stepfather's withdrawal from the home of the stepchildren, where he has been living with them. *Kempson v. Goss*, 69 Ark., 451; *Meyer v. Temme*, 72 Ill., 574; *Rawson v. Corbett*, 43 Ill. App., 127. Charge for support may also be made where there has been an express contract to that effect. *In re Ackerman*, 116 N. Y., 654; *Brown's Appeal*, 112 Pa. St., 18; *McCormick Minors' Estate*, 1 Pa. Co. Ct., 517. But a stepfather cannot maintain, under ordinary circumstances, a claim against the children of his wife for improvements made during their minority upon their lands, of which he was in possession under no right except his wife's unassigned right of dower and his relation of stepfather. *Guckian v. Riley*, 135 Mass., 71; *Haggerty v. McCanna*, 25 N. J. Eq., 48; *Springfield v. Bethel*, 90 Ky., 593.